

07-29-05

170/15

Customer No.: 07278

Docket No.: 02309/0200763-US0



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

Takashi Miyatake et al.

Serial No.: 10/762,881

Filed: January 21, 2004

For: ROTARY CUTTER AND METHOD FOR MANUFACTURING FIBROUS
PRODUCT USING THE SAME

July 27, 2005

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Supplemental Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is
filed: (Check one of the boxes A-D)

- ☐ A. Within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
- ☐ B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
- ☒ C. after (A) and (B) above, but before the mailing date of a final rejection, a notice of allowance, or any other action that closes prosecution, and Applicants have made the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

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(check one of the boxes "i" and "ii" below:)

- ☐ i. Counsel states that, upon information and belief, each item of information listed herein was either (a) first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- ☒ ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.
- ☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. Under 37 CFR 1.17(i) a check in the amount of \$180.00 is enclosed. Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.)

- ☐ A. Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy/copies of the United States Patent on PTO/SB08 is/are not being submitted.
- ☐ B. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- ☐ C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

Applicant Identifies these documents by attaching hereto copies of the forms PTO-892 and PTO/SB08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these

documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

[x] 3. Document Nos. 1, 4, 7, 9, 16 and 17 are not in the English language. In accordance with 1.98(c), Applicant states:

- [x] An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or Abstract is enclosed.
- [x] The requirement for a concise explanation of the relevance of any foreign language document is satisfied by the attached search report for Document Nos. 8 and 14; citation of the documents cited in the search report shall not be construed as an admission that they are or are considered to be, material to patentability of the subject matter claimed herein (See MPEP §609).
- [] A concise explanation of the relevance of document(s) _____ is set forth as follows: [Insert concise explanation of relevance]
- [] A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.
- [] A concise explanation of document(s) _____ can be found on the attached sheet.

[] 4. No explanation of relevance is necessary for documents in the English language (see MPEP § 609 A(3)).

[x] 5. Other information being provided for the examiner's consideration follows:

A copy of European Search Report, dated September 6, 1999, which issued during the prosecution of European Application No. 98 31 0250; and

A copy of Austrian Search Report dated February 7, 2000, which issued during the prosecution of Austrian Application No. 9901083-7, are enclosed.


6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/762,881
				Filing Date	January 21, 2004
				First Named Inventor	Takashi Miyatake
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	02309/0200763-US0

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	1	JP-10-076494-A1	03-24-1998	Sekisui Chem. Co. Ltd.		✓
	2	EP-0923902-A1	06-23-1999	Uni-Charm Corporation		
	3	EP-0301599-A1	02-01-1989	Applied Extrusion Technologies Inc.		
	4	DE-19755596-A1	02-18-1999	Kuesters Eduard Maschf		
	5	EP-0289198-A1	11-02-1988	The Procter & Gamble Company		✓
	6	EP-0774229-A2	05-21-1997	Uni-Charm Corporation		
	7	JP-05-245090-A1	09-24-1993	Kao Corp.		✓
	8	DE-2262121	07-11-1974	Gustaffson		
	9	JP-09-135798	05-27-1997	Tokyo Shibaura Electric Co.		✓
	10	EP-0596532-A1	05-11-1994	Kimberly-Clark Corporation		
	11	EP-0262817	04-06-1988	Kimberly-Clark Corporation		
	12	EP-0777997-A2-A3	06-11-1997	Uni-Charm Corporation		
	13	EP-0774229 B1-A3	05-21-1997	Uni-Charm Corporation		
	14	JP-05-192284-A1	08-03-1993	Daiwabo Create KK		
	15	WO-92/03083-A1	03-05-1992	Jorge M. Parra		
	16	JP-9-149873	06-10-1997	Uni-Charm Corporation		✓
	17	JP-5-245090	09-24-1993	Kao Corporation		✓

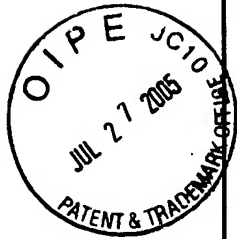
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. or Pursuant to the Notice issued by the United States Patent and Trademark Office dated July 11, 2003 waiving the requirements of 37 C.F.R. § 1.98(a)(2)(i), a copy of the United States Patent on PTO/SB08 is not submitted..

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Application No. (if known): 10/762,881

Attorney Docket No.: 02309/0200763-US0

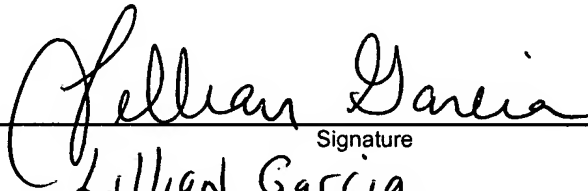
Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. _____ in an envelope addressed to:

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on July 27, 2005
Date



Signature
Lillian Garcia

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Supplemental Information Disclosure Statement (4 pages)
Form PTO SB/08 (1 page)
Seventeen (17) documents
Check No. 9281 in the amount of \$180.00